Government of
Saskatchewan

2006 - 2007
Annual Report

Saskatchewan Labour
Relations Board

2007-04681/

Table of Contents

Letters of Transmittal 3

I Labour Relations Board 5

II *The Trade Union Act* 9

III *The Construction Industry Labour Relations Act, 1992* 10

IV *The Health Labour Relations Reorganization Act* 10

V Budget Summary 11

VI Summary of Board Activity for 2006-2007 12

VII Tables 15

Table 1 Labour Relations Board Organizational Chart April 1, 2006 - March 31, 2007 15

Table 2 Applications under *The Trade Union Act* by Type of Application and Disposition, 2006-2007 16

Table 3 Applications to the Labour Relations Board under *The Trade Union Act* by Disposition, 2002-2003 to 2006-2007 18

Table 4 Applications to the Labour Relations Board under *The Construction Industry Labour Relations Act, 1992* by Disposition, 2002-2003 to 2006-2007 19

Table 5 Applications under *The Trade Union Act* by Type of Application, 2002-2003 to 2006-2007 20

Table 6 Applications under *The Construction Industry Labour Relations Act, 1992* by Type of Application, 2002-2003 to 2006-2007 22

Where to obtain more information 23

This annual report is also available in electronic format from the department's website at **www.sasklabourrelationsboard.com.**

Letters of Transmittal

The Honourable Dr. Gordon L. Barnhart
Lieutenant Governor
Province of Saskatchewan

May it Please Your Honour:

I respectfully submit the Annual Report of the Saskatchewan Labour Relations Board for the fiscal year ending March 31, 2007.

David Forbes
Minister of Labour

The Honourable David Forbes
Minister of Labour

Dear Sir:

It is my pleasure to provide you with the Annual Report of the Saskatchewan Labour Relations Board. It covers the period commencing April 1, 2006 and ending March 31, 2007.

James Seibel
Chairperson
Saskatchewan Labour Relations Board

I. Labour Relations Board

The Labour Relations Board came into existence in 1944 with passage of *The Trade Union Act*, S.S. 1944 (2nd Sess.) c. 69. Although the *Act* has often been amended, most recently in 2005, the basic concept of the Board has not changed. The Board is an independent, quasi-judicial tribunal charged with the responsibility of adjudicating disputes that arise under *The Trade Union Act*. It does this principally through public hearings and written decisions.

The Board's decisions are final and binding upon the parties. There is no appeal, and review by the courts is strictly limited.

The *Act* presently provides for a board composed of a chairperson and two vice-chairpersons and an unspecified number of members. All members of the Board, including the chairperson and vice-chairpersons, are appointed by the Lieutenant Governor in Council. The chairperson and vice-chairpersons are full-time members of the Board. The remaining members are appointed and paid on a per diem basis when their services are required.

The Board is a representational Board. This means that all members of the Board, with the exception of the chairperson and vice-chairpersons, are representatives of employees or employers. The chairperson and vice-chairpersons are neutral and are lawyers. The Board reports to the Minister of Labour for the Province of Saskatchewan. The Minister is obligated by *The Trade Union Act* to provide the Board with the requisite staff and facilities.

The Board operates independently from the government, its departments and agencies. The chairperson, vice-chairpersons and all members of the Board are required by the *Act* to take an oath of impartiality in the performance of their office.

The Board's offices and staff are located at 1600 - 1920 Broad Street, Regina. The Board also maintains a hearing room in Saskatoon. The staff of the Board is composed of the Board Registrar/Legal Counsel, Investigating Officer, Executive Assistant to the Chairperson and three clerical positions. The chairperson or one of the vice-chairpersons is appointed to act as Executive Officer of the Board. An Organizational Chart of the Labour Relations Board is contained in Table 1.

The composition of the Board for 2006-2007 was:

James Seibel - Chairperson

James Seibel was appointed Vice-Chairperson and Executive Officer of the Board in November of 1997 and was appointed Chairperson and Executive Officer of the Board in October of 2003. Mr. Seibel obtained his Bachelor of Science degree from the University of Regina and his law degree from the University of Saskatchewan. He was in the private practice of law in Saskatoon from 1981 to 1997, with an emphasis on labour law and arbitration.

Angela Zborosky – Vice-Chairperson

Angela Zborosky was appointed Vice-Chairperson of the Board in July of 2004. Ms. Zborosky obtained her Bachelor of Business Administration degree from the University of Regina and her law degree from the University of Saskatchewan. Ms. Zborosky was in the private practice of law in Regina from 1991 to 2004, primarily in the areas of labour and employment law.

Bruce McDonald

Bruce McDonald was appointed to the Board in 1974 as a member representing employees. Mr. McDonald is a retired business agent for the International Brotherhood of Painters and Allied Trades, Local Union 1996. He is a past president of the Canadian Federation of Labour (Sask.).

Gloria Cymbalisty

Gloria Cymbalisty was appointed to the Board in March of 1992 as a member representing employees. She is self-employed as an industrial relations consultant. She was formerly a representative for the Saskatchewan Joint Board, Retail, Wholesale and Department Store Union.

Gerry Caudle

Gerry Caudle was appointed to the Board in March of 1994 as a member representing employees. Mr. Caudle had previously served in the same capacity during the 1980s. He is a retired representative with the Canadian Union of Public Employees.

Brenda Cuthbert

Brenda Cuthbert was appointed to the Board in July of 1995 as a member representing employers. Ms. Cuthbert is the Corporate Director of Human Resources for the Siemens Transportation Group Inc.

Donna Ottenson

Donna Ottenson was appointed to the Board in July of 1995 as a member representing employees. An active member of the Saskatchewan Union of Nurses, Ms. Ottenson is a Registered Nurse who works part time in long term care and part time as an Employment Relations Officer with her union.

Hugh Wagner

Hugh Wagner was appointed to the Board in July of 1995 as a member representing employees. Mr. Wagner is the General Secretary for the Grain Services Union.

Mike Carr

Mike Carr was appointed to the Board in July of 1998 as a member representing employers. Mr. Carr is Vice-President, Director of Human Resources, Canadian Steel Operations for IPSCO Saskatchewan Inc. Mr. Carr retired as a member of the Board on March 13, 2007.

Leo Lancaster

Leo Lancaster was appointed to the Board in July of 1998 as a member representing employers. Mr. Lancaster is a retired labour relations consultant with Saskatchewan Association of Health Organizations.

Patricia Gallagher

Patricia Gallagher was appointed to the Board in January of 2000 as a member representing employees. Ms. Gallagher was employed by the Saskatchewan Government and General Employees Union in several capacities from 1982 until her retirement in 2002. At the time of her retirement, Ms. Gallagher was SGEU's Executive Director of Operations. From 1976 until 1982, Ms. Gallagher was employed by the Saskatchewan Federation of Labour. Ms. Gallagher's term as a member of the Board ended with her untimely passing on June 19, 2006.

Duane Siemens

Duane Siemens was appointed to the Board in 2001 as a member representing employees. Mr. Siemens is a retired millwright from Erco Worldwide. Mr. Siemens was formerly the president of CEP Local 609, Secretary and Vice-President of the Saskatchewan Federation of Labour, and past President of the Saskatoon & District Labour Council.

Clare Gitzel

Clare Gitzel was appointed to the Board in July of 2001 as a member representing employers. Mr. Gitzel was formerly employed with a major mining company as Manager of Human Resources and Northern Affairs. He presently provides consulting services in the human resources and administration fields.

Joan White

Joan White was appointed to the Board in July of 2001 as a member representing employers. Ms. White has been employed by the University of Saskatchewan in a management role for more than thirty years. Her areas of specialization are human resource management and labour relations, and she has taught Industrial Relations in the College of Commerce. She is currently on secondment to the Saskatchewan Department of Advanced Education and Employment.

Maurice Werezak

Maurice Werezak was appointed to the Board in July of 2001 as a member representing employees. Mr. Werezak is a past Vice-President of the Saskatchewan Federation of Labour and is President of United Food and Commercial Workers, Local 248-P. Mr. Werezak is a labour representative on the Employment Insurance Appeal Committee and is employed at Mitchell's Gourmet Foods.

Marshall Hamilton

Marshall Hamilton was appointed to the Board in July of 2002 as a member representing employers. Mr. Hamilton is the Director of Industrial Relations - Canada with IPSCO Inc. Mr. Hamilton has been working in the human resources field for 25 years in various industries including forestry, government, potash mining, and steel and pipe manufacturing.

Michael Wainwright

Michael Wainwright was appointed to the Board in July of 2002 as a member representing employers. Mr. Wainwright is the Vice President, HR Commercial Engagements for ISM Information Systems Management Canada Corporation (ISM Canada). He also is the owner of MJWainwright Labour Relations Consulting Inc.

John McCormick

John McCormick was appointed to the Board in July of 2002 as a member representing employees. Mr. McCormick is a Transit Operator with the City of Regina and is Past President of the Amalgamated Transit Union Local 588, having held the position of President for 18 years. Mr. McCormick is the Chairperson of the Regina Civic Pension Committee and is a member of the Task Force on Occupational Standards for the Canadian Motor Coach Association. Mr. McCormick was formerly a Canadian Council Executive Board Member.

Ken Ahl

Ken Ahl was appointed to the Board in July of 2004 as a member representing employers. Mr. Ahl worked for 34 years for Comstock Canada Ltd. and retired in 2003 as the manager of their Saskatchewan office. He has also been active in the construction industry with the CLR – Construction Labour Relations Association of Saskatchewan Inc. and CODC – Construction Opportunities Development Council Inc.

Kendra Cruson

Kendra Cruson was appointed to the Board in July of 2005 as a member representing employers. Ms. Cruson recently opened Willow Studio, a custom home furnishing store and gallery in Regina. Her background includes both sales and human resources. Ms. Cruson is incoming President of CAFE Regina (Canadian Association of Family Enterprise), a not-for-profit organization promoting the well-being and understanding of families in business together.

II. *The Trade Union Act*

In Canada, legislative jurisdiction over industrial relations has, since a ruling of the Supreme Court of Canada in 1925, fallen largely under provincial jurisdiction. Fortunately, the potential this presented for legal fragmentation was offset by varying combinations of interprovincial management and union structures, common history and common day-to-day economic and political conditions. The result is a remarkable commonality of core principles and procedures in all 11 Canadian jurisdictions.

The main features of Saskatchewan's *Trade Union Act*, like its counterparts in all other Canadian jurisdictions, may be summarized as follows:

- traditional courts are replaced by a specialized, quasi-judicial tribunal with exclusive and binding jurisdiction over the matters assigned to it by *The Trade Union Act*;
- common law of conspiracy and restraint of trade is abolished insofar as it applies to employees who bargain collectively;
- the majority of employees determine for all employees in a group whether they will bargain collectively and, if so, through which union;
- an employer is required to recognize the union chosen by the majority of its employees as their exclusive representative for the purpose of bargaining collectively;
- the employer and the union are required to bargain in good faith with a view to concluding a collective bargaining agreement;
- a number of unfair labour practices are created to protect employees and unions from any attempt by the employer to interfere with their rights;
- strike and lock-out activity is regulated, but not prohibited;
- specific issues, such as union security, technological change, conciliation, voting procedures and religious exclusions are addressed; and
- remedial and enforcement procedures are included in the statute.

In short, the *Act* provides the legal framework for collective bargaining, along with a procedure for adjudicating disputes and enforcing rights and obligations. *The Trade Union Act*, like its counterparts in all other Canadian jurisdictions, does not attempt to prohibit economic conflict between employees and employers, but only to control it. It does not attempt to regulate the outcome of collective bargaining, but merely the process to be followed.

The function of the Labour Relations Board within this statutory framework is to identify the parties which will participate in collective bargaining, and to monitor the procedural aspects of the bargaining process. Under *The Trade Union Act*, the Board is not required to follow all of the formal rules of procedure that have been developed in courts of law.

The Board attempts to conduct its hearings in a way that will make them accessible to representatives of the parties who have no legal training, and which will allow the Board to identify the issues which are genuinely in dispute.

III. *The Construction Industry Labour Relations Act, 1992*

Passed in 1992 and amended in 2000, *The Construction Industry Labour Relations Act, 1992*, S.S. 1992, c. C-29.11, provides for a system of collective bargaining in the building trades between organizations representing groups of contractors and the construction unions. The supervision of this statutory system is conferred on the Board under the legislation.

IV. *The Health Labour Relations Reorganization Act*

Passed in 1996, *The Health Labour Relations Reorganization Act*, S.S. 1996, c. H-0.03, appointed a commissioner to examine the organization of labour relations between health sector employers and employees in the Province. The Dorsey Commission report was submitted, and *The Health Labour Relations Reorganization (Commissioner) Regulations*, R.R.S., c. H-0.03, Reg. 1 came into force, in January, 1997.

The legislation confers upon the Board the power to make orders for the purpose of carrying out the intent of the legislation and respecting any matter arising out of the reorganization of labour relations in the health care sector not addressed in the Regulations.

V. Budget Summary

The total budget of the Saskatchewan Labour Relations Board for the fiscal year ending March 31, 2007 was $823,000. The actual sum expended by the Board during the fiscal year was $666,000. The Board has, over time, displayed an ability to manage its resources efficiently. It should be noted, however, that it is unable to control or predict the nature or number of applications put before it, and as a result, the relationship of expenditure to budgetary allocation cannot be guaranteed.

VI. Summary of Board Activity for 2006-2007

Between April 1, 2006, and March 31, 2007, the Labour Relations Board held 12 monthly meetings lasting a total of 94 days. A total of 180 applications were received and a total of 201 were disposed of by the Board during the year. Tables 2 and 3 show these applications by type of application and disposition. The five-year trend is shown by disposition in Tables 3 and 4 and by type in Tables 5 and 6.

During 2006-2007, 36 certification orders covering 989 employees were issued by the Board and 11 certification orders affecting 220 employees were rescinded.

It is not possible in this report to convey a complete picture of the nature and range of applications brought before the Board during the year. It may be helpful, however, to mention briefly some of the issues that illustrate the many types of questions that arise from applications before the Board.

During the reporting period the Board heard and determined two cases where it was asked to exercise its discretionary power to summarily dismiss an application pursuant to s. 18(o) of *The Trade Union Act*, which was among the legislative amendments to the Board's powers made in 2005. In *Soles v. Canadian Union of Public Employees, Local 4777 and Prince Albert and Parkland Health Region*, [2006] Sask. L.R.B.R. 413, LRB File No. 085-06, the Board summarily dismissed the application that the union violated its duty of fair representation where it did not disclose an arguable case. In addition, the Board observed that lack of evidence is not a ground to be considered on an application for summary dismissal because to do so would infer a requirement that an applicant produce evidence at the pleadings stage of proceedings. In *Metz v. Saskatchewan Government and General Employees' Union*, [2000] Sask. L.R.B.R. 9, LRB File Nos. 126-06 and 127-06, the Board described the procedure used to determine whether the Board will consider summary dismissal where on its face the application admits of the possibility that the Board may refuse to hear it for want of jurisdiction, and that the Board may on its own motion raise the issue even where the parties have not done so. In that decision the Board also made a comprehensive review of the jurisprudence concerning the doctrine of *res judicata* and issue estoppel as it applies to the jurisdiction of the Board and circumstances when the Board may decline to hear an application as an abuse of the Board's process.

During the reporting period the Board heard many applications for rescission of a certification order – several were allowed and several were dismissed. In *Janzen v. Service Employees International Union, Local 336 and Prairie Care Developments Inc.*, [2007] Sask. L.R.B.R. 48, LRB File No. 004-07, the Board confirmed the long-standing requirements for the form of support evidence on rescission applications. In *Chuey v. Canadian Union of Public Employees, Local 4687 and Good Shepherd Villas. Inc.*, [2006] Sask. L.R.B.R. 322, LRB File No. 197-05, where the employer's inexperienced bargaining representative made impolitic statements to the union's representatives at the first bargaining session, the Board concluded that the facts did not support a conclusion that the employer had directly or indirectly influenced the making of the application such that the employees could not make an informed decision on a representation vote. In *Jones and Memory v. Saskatchewan Government and General Employees' Union and Hill View Manor*, [2006] Sask. L.R.B.R. 404, LRB File No. 144-06, the Board stated that in circumstances where the applicants

for rescission were the only members of the union's bargaining committee for a first collective agreement and neither they nor the employer had made any request of the other to commence bargaining, as part of its determination whether to grant the application for rescission the Board could consider the fact that the members of the bargaining unit had not had the opportunity to experience working life with union representation under a collective agreement.

During the reporting period the Board received and determined numerous applications alleging a breach of a trade union's duty of fair representation pursuant to s. 25.1 of *The Trade Union Act*. In *E.A. v. National Automobile, Aerospace, Transportation and General Workers Union of Canada (CAW-Canada) and Hotel Saskatchewan*, [2006] Sask. L.R.B.R. 369, LRB File No. 076-04, and *Hinks v. Construction and General Workers' Union, Local 180*, [2007] Sask. L.R.B.R. 1, LRB File No. 067-05, the Board reiterated the key criterion that if the union reasonably and fairly investigates a member's complaint, and after a reasonably thoughtful assessment of the situation concludes that it will not progress a grievance, it is not in violation of the Act, and it is not for the Board to determine whether the union did everything possible to assist the employee or that it reached a correct conclusion in law of the merits of the grievance. In *Datchko v. Deer Park Employees' Association*, [2006] Sask. L.R.B.R. 354, LRB File No. 262-03, the Board concluded that it was not illegitimate for small independent trade union with limited means to consider the cost of arbitration as part of its determination whether to pursue a grievance. In *D.C.B. v. Saskatchewan Joint Board, Retail, Wholesale and Department Store Union*, [2006] Sask. L.R.B.R. 269, LRB File No. 045-04, the Board dismissed the application where the complaining employee failed to contact the union until one year after his termination. The Board confirmed that it is not a necessary duty of the representative union to seek out grievances to file and that employees have a responsibility to bring their complaints to the attention of the union in a reasonably timely manner unless the employee is not reasonably able to do so. In *Beatty v. Saskatchewan Government and General Employees' Union and Northlands College*, [2006] Sask. L.R.B.R. 440, LRB File No. 086-04, the Board found that the union had acted arbitrarily where it had advised the applicant that a grievance had been or would be filed and without explanation failed to do so. The Board ordered the union to investigate the merits of a grievance, advise the applicant of its determination whether or not to proceed and the reasons therefor, and in the event that its determination was not in the applicant's favour, to advise the applicant of the right to appeal under the union's constitution. In *D.M. v. United Steelworkers of America, Local 5890 and IPSCO Inc.*, [2006] Sask. L.R.B.R. 492, LRB File No. 046-05, the Board adjourned the duty of fair representation application sine die in circumstances where a prior determination on disability and accommodation by the Saskatchewan Human Rights Commission was essential to the Board's analysis of the applicant's procedural complaints in his application to the Board.

Many applications alleging unfair labour practices under s. 11 of *The Trade Union Act* were heard and determined during the reporting period. *In United Food and Commercial Workers, Local 1400 v. Wal-Mart Canada Corp.*, [2007] Sask. L.R.B.R. 75, LRB File No. 172-04, the Board made a preliminary determination that it had the

jurisdiction to hear an application alleging that Wal-Mart committed an unfair labour practice by securing the termination of an employee of a third-party contractor for the alleged purposes of intimidating its own employees despite the fact that the terminated employee did not have an employment relationship with Wal-Mart. The application itself was dismissed.

The Board reviewed the criteria considered in whether to exercise its discretion to hear and grant an application for reconsideration of a decision of the Board in *Winners Merchants International L.P. v. Saskatchewan Joint Board, Retail, Wholesale and Department Store Union*, [2006] Sask. L.R.B.R. 275, LRB File No. 225-05.

In *Walmart Canada Corp. v. Saskatchewan Labour Relations Board and United Food and Commercial Workers, Local 1400*, [2006] Sask. L.R.B.R. c-15, the Saskatchewan Court of Queen's Bench dismissed an application by Wal-Mart for an order that the Board as then constituted be prohibited from hearing any applications in which Wal-Mart was the respondent on the alleged grounds that the Board was biased or that there was a reasonable apprehension of bias on the part of the Board. The Saskatchewan Court of Appeal dismissed Wal-Mart's appeal of that decision at [2006] Sask. L.R.B.R. c-25. The Supreme Court of Canada refused to grant Wal-Mart leave to appeal at [2007] S.C.C.A. No. 22.

In conjunction with its publisher, the Saskatchewan Legal Education Society Inc. (SKLESI), the Board continued the publication of its Reasons for Decision and any subsequent court decisions during the reporting year in the Saskatchewan Labour Relations Board Reports (cited as Sask. L.R.B.R.). The Board wishes to thank SKLESI, its Executive Director and Staff for their considerable effort and continued cooperation in the publication of the Reports. The Reports are available by subscription through SKLESI, at court house libraries in some judicial centres and at the Law Library at the University of Saskatchewan. Reports of recent Board decisions are available on the Board's website at www.sasklabourrelationsboard.com. Many of the Board's Reasons for Decision are also available on QuickLaw.

VII. Tables

Table 1

Labour Relations Board
Organizational Chart
March 31, 2007

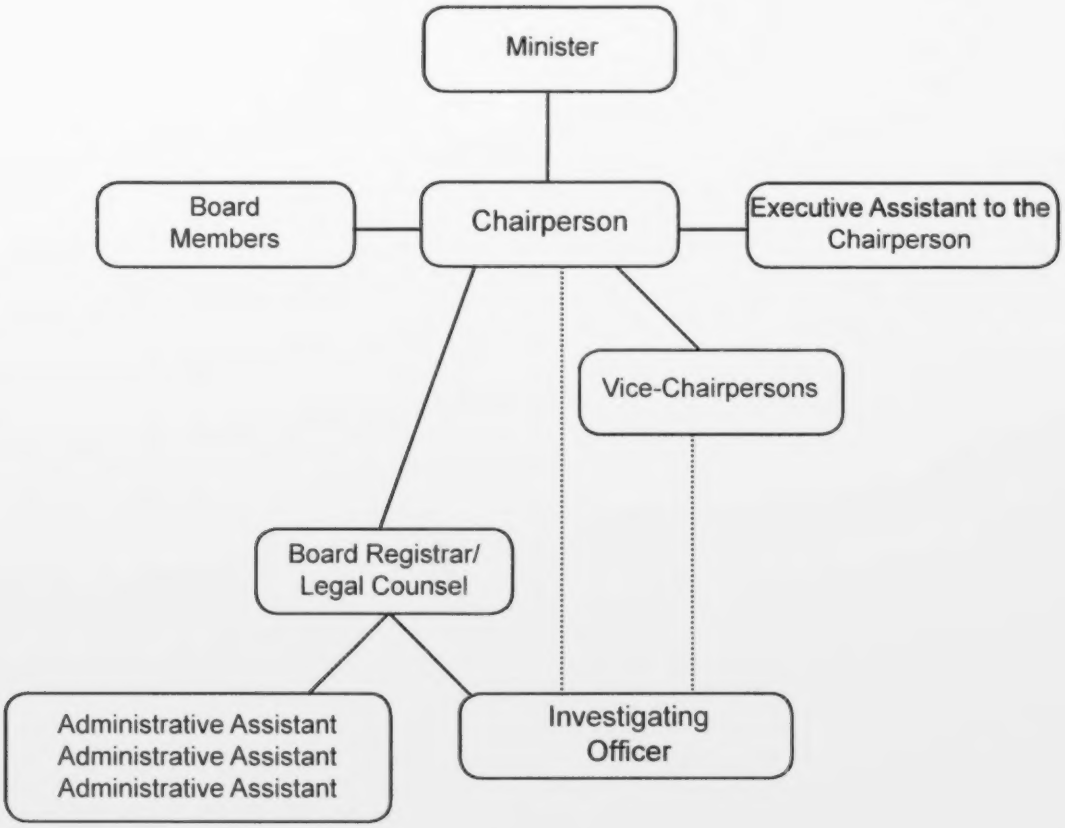

Table 2

Applications under *The Trade Union Act* by Type of Application and Disposition, 2006-2007

Type of application and disposition	Applications
Total Applications*	201
Granted	87
Dismissed	26
Withdrawn	70
Sine Die	18
Designation of Principal or Contractor	
(Section 2, clause g)	0
Certification	
(Section 5, clauses a, b and c)	48
Granted	36
Dismissed	3
Withdrawn	8
Sine Die	1
Unfair Labour Practice	
(Section 5, clause d)	50
Granted	4
Dismissed	4
Withdrawn	36
Sine Die	6
Reinstatement	
(Section 5, clause f)	9
Granted	3
Dismissed	0
Withdrawn	6
Sine Die	0
Monetary Loss	
(Section 5, clause g)	11
Granted	2
Dismissed	0
Withdrawn	7
Sine Die	2
Company Dominated	
(Section 5, clause h)	0

Type of application and disposition	Applications
Provisional Employee Determination	
(Section 5.2)	0
Interim Applications	
(Section 5.3)	6
Granted	5
Dismissed	0
Withdrawn	1
Sine Die	0
Raid	0
Amendment or Rescission	
(Section 5, clauses i, j and k)	A16, R16
Granted	A9, R11
Dismissed	A1, R4
Withdrawn	A5, R1
Sine Die	A1, R0
Exclusion on Religious Grounds	
(Section 5, clause l)	3
Granted	3
Dismissed	0
Withdrawn	0
Sine Die	0
Employee Determination	
(Section 5, clause m)	2
Granted	1
Dismissed	0
Withdrawn	1
Sine Die	0
Strike/Ratification Votes	
(Section 11, clause 8)	0

Table 2 - Continued

Applications under *The Trade Union Act* by Type of Application and Disposition, 2006-2007

Type of application and disposition	Applications
Reconsideration	
(Section 13)	2
Granted	1
Dismissed	1
Withdrawn	0
Sine die	0
Reference of Dispute	
(Section 24)	0
Duty of Fair Representation	
(Section 25.1)	24
Granted	1
Dismissed	13**
Withdrawn	5
Sine die	5
First Collective Bargaining Agreements	
(Section 26.5)	3
Granted	3***
Dismissed	0
Withdrawn	0
Sine die	0
Membership in Trade Union	
(Section 36.1)	0
Transfer of Obligation	
(Section 37)	7
Granted	5
Dismissed	0
Withdrawn	0
Sine die	2
Deemed Sale of Business	
(Section 37.1)	0
Related Employer	
(Section 37.3)	0
Transfer of Bargaining Rights	
(Section 39)	1
Granted	1
Dismissed	0
Withdrawn	0
Sine die	0
Technological Change	
(Section 43)	0
Final Offer Vote	
(Section 45)	0
Health Applications	2
Granted	2
Dismissed	0
Withdrawn	0
Sine die	0
Construction Applications	1
Granted	0
Dismissed	0
Withdrawn	0
Sine die	1

*201 applications were disposed of although 180 applications were received.

** 10 duty of fair representation applications were dismissed and 3 duty of fair representation applications were summarily dismissed pursuant to s. 18 of *The Trade Union Act*.

*** 3 first collective agreements were settled with the assistance of a Board Agent, 0 first collective agreements were imposed by the Board

Source: Saskatchewan Labour Relations Board files.

Table 3

Applications to the Labour Relations Board under *The Trade Union Act*, by Disposition, 2002-03 to 2006-07

	2002-03	2003-04	2004-05	2005-06	2006-07
Total Applications	265*	277*	273*	252*	200*
Granted	109	123	105	88	80
Dismissed	30	28	30	48	26
Withdrawn	79	87	95	69	69
Sine Die	27	29	31	39	17
To Conciliation	0	0	0	0	0
Joint Amend – Dorsey	0	0	0	0	1
Cert. – Dorsey	12	0	0	0	0
Other Dorsey	0	2	1	1	1
Interim**	8	8	11	7	6

Under *The Trade Union Act*, the Board may determine the outcome of any dispute referred to it by either party.
The decision of the Board is final and binding.

*This figure does not include construction applications.
**The Disposition of Interim Applications is shown in Table 2.

Source: Saskatchewan Labour Relations Board files.

Table 4

Applications to the Labour Relations Board under *The Construction Industry Labour Relations Act, 1992,* by Disposition, 2002-03 to 2006-07

Year	Total Applications	Granted	Dismissed	Withdrawn	Determined	Sine Die
2002-03	0	0	0	0	0	0
2003-04	2	0	0	0	0	2
2004-05	0	0	0	0	0	0
2005-06	4	0	0	3	0	1
2006-07	1	0	0	0	0	1

Source: Saskatchewan Labour Relations Board files.

Table 5

Applications under *The Trade Union Act* by Type of Application, 2002-03 to 2006-07

Type of Application	2002-03	2003-04	2004-05	2005-06	2006-07
Total Applications*	265**	277**	273**	252**	200**
Designation of Principal or Contractor (Section 2, clause g)	0	0	0	0	0
Certification (Section 5, clauses a, b and c)	70	86	69	59	48
Unfair Labour Practices (Section 5, clause d)	65	58	58	71	50
Reinstatement (Section 5, clause f)	14	17	14	9	9
Monetary loss (Section 5, clause g)	16	16	18	13	11
Company dominated (Section 5, clause h)	1	0	0	0	0
Company dominated (Section 5, clause h)	A20 R14	A18 R12	A8 R15	A17 R16	A16 R16
Exclusion on religious grounds (Section 5, clause l)	1	1	3	4	3
Employee determination (Section 5, clause m)	3	2	3	1	2
Provisional determination (Section 5.2)	3	0	1	1	0
Interim Application (Section 5.3)	8	8	11	7	6
Strike/Ratification Votes (Section 11(8))	1	0	2	0	0
Reconsideration (Section 13)	2	6	1	4	2

Table 5 - Continued

Applications under *The Trade Union Act* by Type of Application, 2002-03 to 2006-07

Type of Application	2002-03	2003-04	2004-05	2005-06	2006-07
Reference of Dispute (Section 24)	2	0	0	2	0
Duty of Fair Representation (Section 25.1)	11	33	41	31	24
First Collective Bargaining Agreements (Section 26.5)	6	7	8	8	3
Raid	2	2	1	0	0
Membership in Trade Union (Section 36.1)	0	3	3	1	0
Deemed Sale of Business (Section 37.1)	0	0	0	0	0
Transfer of Obligation (Section 37)	8	4	8	2	7
Related Employer (Section 37.3)	1	1	1	0	0
Transfer of Bargaining Rights (Section 39)	1	1	7	0	1
Technological Change (Section 43)	3	0	0	4	0
Final Offer Vote (Section 45)	1	0	0	1	0
Health Applications	12	2	1	1	2

*These figures represent the number of applications disposed of during the reporting period, not the number received.
**This figure does not include construction applications.

Source: Saskatchewan Labour Relations Board files.

Table 6

Applications under *The Construction Industry Labour Relations Act, 1992* by Type of Application, 2002-03 to 2006-07

Type of Application	2002-03	2003-04	2004-05	2005-06	2006-07
Total Applications	0	0	0	4	1
Section 5	0	0	0	1	0
Section 10.2	0	0	0	0	0
Section 11	0	0	0	0	0
Section 16	0	0	0	0	0
Section 18	0	2	0	1	1
Section 25	0	0	0	2	0
Section 29	0	0	0	0	0
Section 30	0	0	0	0	0
Section 37	0	0	0	0	0

Source: Saskatchewan Labour Relations Board files.

Where to obtain additional information

For more information or to obtain additional copies of this report, contact us at:

Saskatchewan Labour Relations Board
1600 – 1920 Broad Street
REGINA SK S4P 3V2

Phone: (306) 787-2406
Fax: (306) 787-2664

Visit our website at:
www.sasklabourrelationsboard.com